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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,359	04/05/2001	Shigeki Totsuka	010496	3990
23850	7590	01/27/2003		

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EXAMINER	
CUEVAS, PEDRO J	
ART UNIT	PAPER NUMBER

2834

DATE MAILED: 01/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/826,359	TOTSUKA, SHIGEKI	
	Examiner	Art Unit	
	Pedro J. Cuevas	2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 06 December 2002.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1 and 3 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1 and 3 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,206,571 to Burri in view of U.S. Patent No. 3,831,072 to Tanikoshi.

Burri disclose the construction of a stepping motor (10), comprising:

exciting coils (15 and 16) provided along a peripheral surface of a rotor (11) provided with a plurality of N/S poles so as to rotate following a change of an excitation state of the exciting coils;

a driven member (103) linked with the rotor;  
a stopper (104) for mechanically stopping the driven member at a predetermined position;

a first exciting means (43 with Q41 and Q44 on) to normally or reversely rotate the rotor by controlling the excitation state of the exciting coils;

a second exciting means (43 with Q41 and Q44 off) for reversing the rotor in a direction of making the driven member move toward the predetermined position by controlling the excitation state of the exciting coils;

a position detecting means for detecting the driven member having abutted the stopper and stopped at the predetermined position on a basis of induction voltage generated in the detecting coil during control by the second exciting means; and a controlling means (17) for stopping the first exciting means controlling and starting the second exciting means controlling when an instruction signal is inputted, and for starting the first exciting means controlling and stops the second exciting means controlling when the position detecting means detects the driven member having stopped at the predetermined position.

However, it fails to disclose a detecting coil provided separately from the exciting coils so as to generate an induction voltage according to rotation of the rotor.

Tanikoshi teach the use of a detecting coil (21) in the construction of a DC motor for the purpose of applying a detected voltage to the output terminals of the bridge circuit through the matching circuit so that the rotation of the servomotor may be retarded, and the detecting coil being provided at a center of a longest peripheral surface between adjoining exciting coils as shown in Figure 2.

It would have been obvious to one skilled in the art at the time the invention was made to use the detecting coil disclosed by Tanikoshi on the stepping motor disclosed by Burri for the purpose of applying any detected voltage to the desired circuit so that the rotation of a motor may be modified.

#### *Response to Arguments*

3. Applicant's arguments filed on December 6, 2002 have been fully considered but they are not persuasive.

4. In response to applicant's argument that neither, Burri or Tanikoshi recite exciting coils provided along a peripheral surface of the rotor, and the detecting coil is provided at a center of a longest peripheral surface between adjoining exciting coils; these limitations have been addressed by the obvious combination of Burri and Tanikoshi in the present rejection.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pedro J. Cuevas whose telephone number is (703) 308-4904. The examiner can normally be reached on M-F from 8:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Néstor R. Ramírez can be reached on (703) 308-1371. The fax phone numbers for

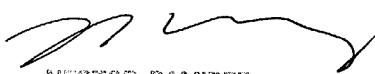
Application/Control Number: 09/826,359  
Art Unit: 2834

Page 5

the organization where this application or proceeding is assigned are (703) 305-1341 for regular communications and (703) 305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Pedro J. Cuevas  
January 20, 2003

  
NESTOR RAMIREZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800